

REMARKS

This Response responds to the Office Action dated April 6, 2007 in which the Examiner rejected claims 1, 4, 11, 13-17 and 20-23 under 35 U.S.C. §101.

Claims 1, 4, 11, 13-17 and 20-23 claim an imaging processing apparatus and method having a sortation memory portion provided in the form of a virtually sorted prescribed memory area to store sorted information while confirming whether a similar structure exists on other different processing apparatuses. An acquisition portion or notification portion acquires or notifies a different image processing apparatus of additional information. Thus, information from different image processing apparatuses can be shared. Furthermore, information from the different image processing apparatuses can be stored in one of the sortation memory portions so that excess storage capacity is not needed. The prior art does not show, teach or suggest the invention as claimed in claims 1, 4, 11, 13-17 and 20-23.

Claims 1, 4, 11, 13-17 and 20-23 were rejected under 35 U.S.C. §101 as directed to non-statutory subject matter.

Applicants respectfully traverse the Examiner's rejection of the claims under 35 U.S.C. §101. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, Applicants respectfully request the Examiner withdraws the rejection to the claims and allows the claims to issue.

35 U.S.C. §101 define four categories of inventions that Congress deemed to be appropriate subject matter of a patent: processes, machines, manufacturers and compositions of matter. Applicants respectfully submit that claims 1, 4, 11, 13-17 and 20-23 are all directed to either machines or processes and thus are one of the four categories identified as appropriate subject matter.

Subject matter outside the four categories is limited to abstract ideas, laws of nature and natural phenomena. Applicants respectfully submit that the claimed invention is not directed to a law of nature, a natural phenomena or an abstract idea. The present invention is directed to an apparatus and method that can help a user control image information or other similar information. Helping a user control information is not an abstract idea, natural phenomena or law of nature. Rather, the invention is a practical device and method which produces a beneficial result for a user. The sortation memory portion storing sorted information can obtain additional information from different image processing apparatuses thus allowing networked image processing apparatuses to share information and to reduce storage capacity requirements. Hence, the final result achieved by the claimed invention is useful, tangible and concrete.

Applicants respectfully traverse the Examiner's statement that the sorting of images "does not appear to manipulate the images in order to produce a transformation of the images". The present invention is directed to a sortation memory portion which sorts stored information by a prescribed condition (referred to as box and box name within the specification). In the prior art, a user with a box on one apparatus cannot refer to boxes of other networked image processing apparatuses. Furthermore, a user could not print out or manipulate the box remotely. (See [0006] - [0011] of the specification). However, with the claimed invention, a user can control image information or other similar information by acquiring different image processing apparatus information, comparing the information and registering the same. Thus, a box having the same name on networked image processing apparatuses can be shared as if they were a single

box. Additionally, information needs only to be stored once on the networked image processing apparatus so that reduction in storage capacity is obtained. Information in a box in different remote image processing apparatuses can be easily obtained and/or erased. The information can be shared in real time and can be readily printed out remotely. Thus, the storage and manipulation of the information as claimed in claims 1, 4, 11, 13-17 and 20-23 brings about a useful, concrete and tangible result.

Since claims 1, 4, 11, 13-17 and 20-23 are directed to statutory subject matter and produce a useful, concrete and tangible result, Applicants respectfully submit that the claims are not directed to non-statutory subject matter. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 1, 4, 11, 13-17 and 20-23 under 35 U.S.C. §101.

Thus it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

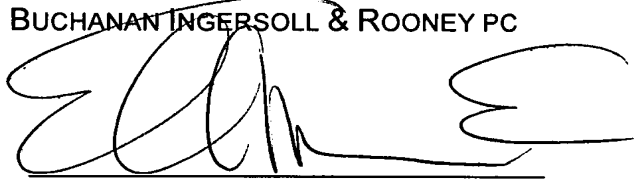
In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 02-4800.

In the event that any additional fees are due with this paper, please charge
our Deposit Account No. 02-4800

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

By:

A handwritten signature in black ink, appearing to read 'EMAS', is written over a horizontal line.

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Date: June 14, 2007

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